IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No 1627 of 1989

with

CRIMINAL MISC.APPLICATION No 1761 of 1989

For Approval and Signature:

Hon'ble MR.JUSTICE R.P.DHOLAKIA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

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Versus

SHRIPATADIYA

Appearance:

1. Criminal Misc.Application No. 1627 of 1989
MR CHAUDHARY FOR MR SV RAJU for Petitioner No. 1
NOTICE SERVED for Respondent No. 1-5
MR PR ABICHANDANI, APP for Respondent No. 6

2. Criminal Misc.Application No. 1761 of 1989
MR CHAUDHARY FOR MR SV RAJU for Petitioner No. 1
MR PR ABICHANDANI, APP for Respondent No. 1

CORAM : MR.JUSTICE R.P.DHOLAKIA

Date of decision: 27/02/2003

COMMON ORAL JUDGEMENT

Heard Mr.Chaudhary for Mr.S.V.Raju, learned counsel for the petitioner. At the end of arguments, he does not press this petition qua transfer of the cases from the Court of learned J.M.F.C., Kalawad, Dist. Jamnagar to any other district and has requested that if petitioner applies for any police protection in writing before the authority, same may be considered by the authority sympathetically.

2. I have gone through the complaint in question filed in the year 1989. This petition has been amended whereby six police officers were joined as party respondents in this proceedings. According to petitioner, he has no grievance against these added respondent police officers and has no apprehension against them either. I hope by this time these police officers might have been either retired or transferred. In these circumstances, question of transfer of cases does not arise. However, since learned counsel for the petitioner is not pressing for the same, I am not dealing with the same.

3. As far as police protection is concerned, if the petitioner on apprehension requests in writing for police protection, same shall be decided by the police authority as expeditiously as possible preferably within a period of seven days from the date of request.

4. With the aforesaid observation and direction, both these petitions stand disposed of. Ad-interim relief if any stands vacated. Rule is discharged in each petition.

5. Office is directed to keep copy of this order in each petition.

(R.P.DHOLAKIA,J.)

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